



STATE OF INDIANA

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PUBLIC ACCESS COUNSELOR
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October 30, 2009

Mr. Gregg Montgomery
Community News Editor, *The Indianapolis Star*
P.O. Box 145
307 N. Pennsylvania St.
Indianapolis, IN 46206-0145

Re: *Formal Complaint 09-FC-222; Alleged Violation of the Access to
Public Records Act by the Zionsville Community School
Corporation*

Dear Mr. Montgomery:

This is in response to your formal complaint alleging that Zionsville Community School Corporation ("ZCSC") violated the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1 *et seq.*, by denying you access to public records. The records you seek involve ZCSC's contract with St. Vincent Health for the provision of nursing care and medical services to the school district.

Prior to ZCSC's contract with St. Vincent, my sister and mother-in-law worked as part-time nurses in ZCSC schools. As a result of the contract, their employment terminated. Consequently, it is my opinion that I cannot issue an advisory opinion on the merits of your complaint without the appearance of a conflict of interest. Indiana Code section 5-14-4-11 provides the public access counselor with the authority to "employ additional personnel necessary to carry out the functions of the office." Pursuant to that authority, an acting public access counselor will issue an advisory opinion in my stead.

Best regards,

Andrew J. Kossack
Public Access Counselor

Cc: Jeffery J. Qualkinbush